

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PAUL SHAPIRO, on behalf of himself as an individual, and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE & CO., JPMORGAN CHASE BANK, N.A., J.P. MORGAN SECURITIES LLC, and J.P. MORGAN SECURITIES, LTD.,

Defendants.

Case No.:11-CV-8331 (CM)(MHD)
ECF CASE

STEPHEN and LEYLA HILL, on behalf of themselves as individuals, and on behalf of all others similarly situated,

Plaintiffs,

v.

JPMORGAN CHASE & CO., JPMORGAN CHASE BANK, N.A., J.P. MORGAN SECURITIES LLC, and J.P. MORGAN SECURITIES, LTD.,

Defendants.

Case No. 11-CV-7961 (CM)
ECF CASE

**NOTICE OF MOTION FOR PRELIMINARY
APPROVAL OF PROPOSED SETTLEMENT**

PLEASE TAKE NOTICE that, upon the accompanying Declaration with exhibits of Andrew J. Entwistle, dated January 7, 2014 (the “Entwistle Declaration”), Plaintiffs’ Memorandum of Law in Support of Motion for Preliminary Approval of Proposed Settlement with Defendants and all prior proceedings had herein, plaintiffs and putative class representatives Paul Shapiro, Stephen Hill and Leyla Hill, on behalf of themselves and all other persons and

entities who directly had capital invested with Bernard L. Madoff Investment Securities LLC (“BLMIS”) as of December 11, 2008, will move this Court pursuant to Rule 23 of the Federal Rules of Civil Procedure for an Order substantially in the form of the [Proposed] Order Preliminarily Approving Proposed Settlement and Providing for Notice, a copy of which is attached hereto as Exhibit A (the “Proposed Order”): (i) granting preliminary approval of the proposed settlement (the “Settlement”) as memorialized in the Settlement Agreement, attached as Exhibit 1 to the Entwistle Declaration; (ii) conditionally certifying a class for purposes of the Settlement as defined in the Proposed Order (the “Settlement Class”); (iii) preliminarily appointing undersigned interim co-lead counsel as class counsel for purposes of the Settlement; (iv) approving the parties’ proposed forms and method of giving notice of the pendency of the Settlement to the Settlement Class; (v) directing that such notice be given to the Settlement Class; and (vi) scheduling for as soon thereafter as the Court deems appropriate, a hearing at which time the Court will consider (a) the parties’ request for final approval of the Settlement Class, the Settlement and a plan of allocation, and (b) entry of the [Proposed] Final Judgment and Order of Dismissal with Prejudice; and (vii) granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that Intervenor Irving H. Picard, Trustee of the substantively consolidated SIPA liquidation of BLMIS and the estate of Bernard L. Madoff, is a party to the Settlement and approves this motion and Plaintiffs’ Memorandum of Law in Support thereof.

Dated: January 7, 2014

Respectfully submitted,

ENTWISTLE & CAPPUCCI LLP

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Andrew J. Entwistle

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